

Article - Public Utilities

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§21-104.

- (a) (1) In this section the following words have the meanings indicated.
- (2) “High performance building” means a building that:
 - (i) meets or exceeds the current version of the U.S. Green Building Council’s Leadership in Energy and Environmental Design (LEED) Green Building Rating System Silver rating; or
 - (ii) achieves at least a comparable numeric rating according to a nationally recognized, accepted, and appropriate numeric sustainable development rating system, guideline, or standard approved by the Secretary of Budget and Management and the Secretary of General Services.
- (3) “Major renovation” means the renovation of a building where:
 - (i) the building shell is to be reused for the new construction;
 - (ii) the heating, ventilating, and air-conditioning (HVAC), electrical, and plumbing systems are to be replaced; and
 - (iii) the scope of the renovation is 7,500 square feet or greater.
- (b) It is the intent of the General Assembly that, to the extent practicable:
 - (1) the Commission shall employ green building technologies when constructing or renovating a Commission-owned building not subject to this section; and
 - (2) high performance buildings shall meet the criteria and standards established under the “High Efficiency Green Building Program” adopted by the Maryland Green Building Council.
- (c) Except as provided in subsections (d) and (e) of this section, if a capital project includes the construction or major renovation of a building that is 7,500 square feet or greater, the building shall be constructed or renovated to be a high performance building.

(d) The following types of unoccupied buildings are not required to be constructed or renovated to be high performance buildings:

- (1) warehouse and storage facilities;
- (2) garages;
- (3) maintenance facilities;
- (4) transmitter buildings;
- (5) pumping stations; and
- (6) other similar types of buildings, as determined by the Commission.

(e) (1) The Commission may request from the county where the proposed capital project is located a waiver from complying with subsection (c) of this section.

(2) On receipt of a written request of a waiver under this subsection, with approval of the county executive, the county council of the county where the proposed capital project is located may issue a waiver under this subsection if the county council determines that the use of a high performance building in a proposed capital project is not practicable.

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